



# Alaska State Legislature

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**Sponsor:** Senate Transportation Committee  
**Current Version:** CSSB 382 (CRA) am  
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## Fact Sheet for: Senate Bill 382

**Short Title:** Eminent Domain/Replat of Boundary Changes

### Summary:

- Clarifies an ambiguity in existing eminent domain law that unnecessarily limits municipalities in their consideration of replat approval petitions.
- Authorizes municipalities to adopt replat approval procedures targeted specifically to the eminent domain process.

### Benefits:

- Gives municipalities greater flexibility in the processes used to review replat approval petitions in eminent domain proceedings.
- Conforms state law to municipal treatment of eminent domain replat approval petitions.

### Background:

DOT proposed this legislation following the recent filing of a lawsuit over the C Street Extension in Anchorage. The state's legal staff believed the litigant's legal theory would extend the suit to many other DOT construction projects, including the Kenai River bridge in Soldotna. The state is defending against the lawsuit, yet the consequences of an adverse ruling would be severe. This legislation ensures that DOT or a municipality can reasonably proceed with property acquisition under eminent domain while retaining local government's replat procedures.